

EXHIBIT D

From: [Michael Shore](#)
To: [Bennett, Natalie A.](#)
Cc: [Team-Purdue-ST](#); [Max Ciccarelli](#); [Cohen, Justin S \(DFW - X61211\)](#); [White, Jason C.](#)
Subject: RE: Conference
Date: Wednesday, October 12, 2022 3:04:15 PM

[External email]

Natalie,

There is no harassment, and I do not understand why every time you are called out for YOUR misconduct, your default response is to play victim. You are a licensed attorney working for a major law international law firm. I presume you are not any less capable of communicating with me than is any other attorney similarly situated. I did not copy others on the email to avoid embarrassing you. I assumed that your misconduct could be discussed with you, as nothing you did (or failed to do) can be altered or addressed by counsel for ST. The issues addressed in the email are issued between GE and Purdue, not ST.

If you are not comfortable communicating with me regarding your conduct, then I respectfully suggest you have another lawyer at your firm, or GE, step in and take your place. I am not trying to upset you. I am simply pointing out that your conduct was egregiously inappropriate, short-sighted, poorly thought through and as a result put GE in real peril by allowing me – forcing me – to point out their SIX breaches of the Master License Agreement and use of X-Fab in an infringing manner. None of that was necessary; all of it is your fault.

We will send Jason as draft motion to compel a second Rule 30(b)(6) deposition, fees and costs. I am also happy to discuss with Jason how GE can cure its defaults/breaches – where curable – and execute a new license that will get X-Fab or any other foundry out from under the liability you created. Friday afternoon at 3:00 PM CST is a good time for Jason to call me, 469-831-1455.

Best,

Michael

From: Bennett, Natalie A. <natalie.bennett@morganlewis.com>
Sent: Wednesday, October 12, 2022 2:21 PM
To: Michael Shore <mshore@shorefirm.com>
Cc: Team-Purdue-ST <Team-Purdue-ST@shorefirm.com>; Max Ciccarelli <max@CiccarelliLawFirm.com>; Cohen, Justin S (DAL - X61211) <Justin.Cohen@hklaw.com>; White, Jason C. <jason.white@morganlewis.com>
Subject: RE: Conference

CAUTION: External Email!

Mr. Shore,

You were instructed during the August 23 hearing with Judge Gilliland not to have direct email contact with me and were instructed to also copy other counsel of record. I am therefore including counsel for both sides. Your continued harassment of me is not appropriate.

Morgan Lewis is conferring with our client as to appropriate next steps. We do not agree that any meaningful effort was made to resolve disputes during Monday's deposition. To the extent you wish to discuss any issues further, my partner Jason White can be that point of contact (copied here). He will make himself available Friday afternoon to discuss any further issues Purdue endeavors to raise with GE or intends to move the Court on.

Natalie

Natalie A. Bennett

Morgan, Lewis & Bockius LLP

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From: Michael Shore <mshore@shorefirm.com>

Sent: Tuesday, October 11, 2022 8:59 AM

To: Bennett, Natalie A. <natalie.bennett@morganlewis.com>

Subject: Conference

[EXTERNAL EMAIL]

Natalie,

I believe we conferenced during the deposition, but if you feel otherwise, please provide a time this week to conference on:

Motion to Compel reconvene the GE Rule 30(b)(6) deposition with a fully prepared witness who does not refuse to answer valid questions.

Motion for Sanctions and Fees for your misconduct during the deposition.

GE admitted to at least 6 breaches of the Master License Agreement. Some breaches are incurable. I need to be able to inform Purdue.

Purdue rejects your blanket designation of the deposition as Attorneys' Eyes Only. GE must designate by page and line. We are going to file a motion with the Court to have the confidentiality designation removed unless GE allows Brooke Beire, Ken Waite, Purdue's General Counsel and Purdue's Board of Trustees to see the transcript. You have until Thursday to agree.

I also request a telephone conference with GE's in-house counsel. He/she needs to know what you got GE into by siding with ST and refusing to cooperate with Purdue. Purdue is going to likely terminate the MLA for GE's material breaches. X-Fab is also getting sued, as is GE.

You were worried about costs to GE of a deposition? You have a lot more to worry about now.

Best,

Michael

Sent via the Samsung Galaxy S22 5G, an AT&T 5G smartphone

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